

Appln No. 09/636,000

Amdt date October 13, 2004

Reply to Office action of July 13, 2004

REMARKS/ARGUMENTS

In the Office action dated July 13, 2004, claims 1 - 5, 7, 11 and 12 were rejected under 35 U.S.C. 103(a) and claims 6, 8 - 10 and 13 - 21 were allowed. The Examiner also rejected Applicant's claim for priority.

By this Amendment and the accompanying Request for Continued Examination, Applicant is amending claims 1 and 11. Claims 1 - 21 are now presented for reconsideration.

Applicant's Response to the Rejection of the Claim for Priority

Regarding Applicant's claim for priority, Applicant is investigating the inventorship issues regarding the provisional application from which priority is claimed and the present application. Applicant has not completed this investigation because it has not been able to obtain the complete file history for the provisional application from the Office of Public Records of the U.S. Patent Office. Applicant's representatives have placed an order for the records with the Office. However, as of the date of this Amendment these records have not been provided to Applicant's representatives. As the rejection is based on the Office's records, the contents of these records need to be reviewed to provide a full and complete response to the rejection. After these records are provided by the Office of Public Records, Applicant will address this rejection in a Supplemental filing.

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Applicant's Response to the Rejections under 35 U.S.C. § 103

Claims 1 and 11 were rejected as being unpatentable over Cesari, U.S. Patent No. 5,844,947, in view of Beat, U.S. Patent No. 5,687,352. Of the rejected claims, claims 1 and 11 are independent.

The cited references considered with independently or in combination do not teach or suggest "computing branch metrics for the trellis by setting a first portion of the branch metrics equal to a coefficient which models an autocorrelation of an impulse response of a channel and setting a second portion of the branch metrics equal to a sum or difference of a prior value of a branch metric and a coefficient which models an autocorrelation of an impulse response of a channel" as claimed in claims 1 and 11. Accordingly, Applicant submits that claims 1 and 11 are not obvious in view of these references.

Claims 2 - 5 and 7 that depend on claim 1 and claim 12 that depends on claim 11 also are patentable over the cited references for the reasons set forth above. In addition, these dependent claims are patentable over the cited references for the additional limitations that the dependent claims contain.

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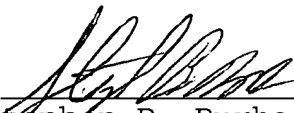
SUMMARY

In view of the above amendments and remarks it is submitted that the claims are patentably distinct over the cited references and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,

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